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9  
10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION  
13

14 **C. JAY SMITH, et al.,**

15 Plaintiff,

16 v.

17 **R. DIAZ, et al.,**

18 Defendants.  
19  
20

4:20-cv-04335-HSG

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME TO FILE  
STIPULATION FOR DISMISSAL;  
ORDER**

Judge: Hon. Haywood S. Gilliam, Jr.  
Trial Date: None Set  
Action Filed: June 29, 2020

21 The parties respectfully submit this Stipulation and Order for Extension of Time to File  
22 Stipulation for Dismissal. This Stipulation is based on the following:

23 WHEREAS, on September 22, 2025, the parties participated in a Settlement Conference  
24 before Magistrate Judge Robert M. Illman.

25 WHEREAS, the parties reached a settlement of all claims and issues and placed the primary  
26 terms of the settlement on the record before Judge Illman.

27 WHEREAS, the parties are in the process of executing all necessary documents to finalize  
28 the settlement and dismiss the case.

1 WHEREAS, on September 25, 2025, the Court granted the parties' request to vacate the  
2 trial date and all other pretrial dates (ECF No. 186).

3 WHEREAS, the Court will set an Order to Show Cause re Dismissal for forty-five days  
4 after the date of settlement, or November 6, 2025 (ECF No. 186).

5 WHEREAS, the parties request an additional thirty days to finalize the settlement  
6 documents and file a Stipulation for Dismissal.

7 THEREFORE, IT IS HEREBY STIPULATED, by and between the parties, through their  
8 respective counsel of record, that the Order to Show Cause re Dismissal be continued for thirty  
9 days to on or about December 8, 2025.

10 IT IS SO STIPULATED.

11  
12 Dated: November 4, 2025

Orthwein Law, PC

13  
14 By: /s/ Jennifer Orthwein

Jennifer Orthwein

Attorneys for Plaintiff C. Jay Smith

15  
16  
17 Dated: November 4, 2025

CALIFORNIA ATTORNEY GENERAL'S OFFICE

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19 By: /s/ Eric Miersma

Eric Miersma, Deputy Attorney General

Attorneys for Defendants

**ATTESTATION**

I hereby attest that all other signatories listed, whose signatures are indicated by a conformed signature (“/s/”), and on whose behalf this filing is submitted, concur in the filing’s content and have authorized the filing.

Dated: November 4, 2025

CALIFORNIA ATTORNEY GENERAL’S OFFICE

By: /s/ Eric Miersma

Eric Miersma, Deputy Attorney General  
Attorneys for Defendants

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**ORDER**

Having read and considered the Stipulation, Good Cause appearing, the Court grants the parties' request and continues the Order to Show Cause re Dismissal for thirty days to December 8, 2025.

It is so ordered.

DATED: 11/4/2025

  
The Honorable Haywood S. Gilliam, Jr.

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